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In re Application of :  
BLAU, Pinhas et al. :  
Application No.: 10/564,630 : DECISION  
PCT No.: PCT/IL04/00647 :  
Int. Filing Date: 16 July 2004 : ON REQUEST UNDER  
Priority Date: 16 July 2003 :  
Attorney's Docket No.: 1327MMG-US : 37 CFR 1.497(d)  
For: OPTICAL FREQUENCY CONVERTER :  
FOR NON-POLARIZED LIGHT :

This decision is in response to applicants' request under 37 CFR 1.48(a), filed in the United States Patent and Trademark Office on 05 September 2006. It has been treated as a request under 37 CFR 1.497(d).

**BACKGROUND**

On 16 July 2004, applicants filed international application PCT/IL04/00647, which claimed a priority date of 16 July 2003. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 27 January 2005. The deadline for payment of the basic national fee in the United States was midnight on 16 January 2006.

On 13 January 2006, applicants filed a submission for entry into the national stage in the United States, accompanied by, *inter alia*, the U.S. Basic National Fee and a declaration of the inventors.

On 10 July 2006, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and indicating that inventors 2, 3, and 4 were not listed on the international publication and that the Office did not have a record of a recording of a change, adding the inventors.

On 05 September 2006, applicants filed the instant request.

**DISCUSSION**

Applicants file this request to add Raphael Lavi, Shaul Pearl and Ariel Elior as inventors.

A request under 37 CFR 1.497(d) requires: (1) a statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part; (2) the processing fee set forth in §1.17(i); and (3) the written consent of the assignee, if an original named inventor has executed an assignment.

Items (1) and (3) have been satisfied. Applicants have provided a statement from the people being added as inventors, that any error in inventorship occurred without deceptive intention on their parts. Applicants have provided the consent of the assignee and the statement under 37 CFR 3.73.

Item (2) has not been satisfied. Though applicants indicate that the fee is being provided, a review of Office records does not indicate that the fee has been paid. The processing fee of \$130 is required.

### CONCLUSION

For the above reasons, applicants' request under 37 CFR 1.497(d) is **REFUSED**.

A proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Request Under 37 CFR 1.497(d)". Extensions of time are available.

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

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